IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.34749 of 2008
SHAKTI SINGH ….. PETITIONER
Versus
THE STATE OF BIHAR …... OPP. PARTY
For the petitioner : - Md. Sufiyan, Advocate
For the O.P. : - Sri D. Mehta, APP
---

3. 11.11.2008 Heard Md. Sufiyan, Advocate for the petitioner and Sri D. Mehta, Additional Public Prosecutor for the State.

The petitioner Shakti Singh was driving a motor cycle. There was another person Rabuddin Mian, who was the pillion rider and was found carrying a bag, which was concealing a carbine with cartridges of 9 mm.

The contention is that the petitioner had obtained a lift for going to the railway station for catching a train, but incidentally he was apprehended and remanded in the case.

WEB COPY NOT OFFICIAL

The court does not have any reason to act upon the defence simply for the reason that the petitioner was found driving the vehicle. It appears a case of concerted transportation of a prohibited arm, considering which, the petition is dismissed.

However, if the trial of the petitioner is not concluded by the 20th of April, 2009, the petitioner shall be released on bail by the court below itself on execution of a bond to its own satisfaction.

DKS/ **(Dharnidhar Jha, J)**